UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:18-cv-198-FDW

| JAMES A. WILSON, |) | |
|------------------------|---|--------------|
| Plaintiff, |) | |
| vs. |) | <u>ORDER</u> |
| BRETT SIMMONS, et al., |) | |
| Defendants. |) | |
| |) | |

THIS MATTER is before the Court on Defendant Kearry Hinson's Motion *Nunc Pro Tunc* to Deem Answer Timely Filed, (Doc. No. 28). Defendant argues that the Answer should be accepted as timely filed because the Clerk of Court has not entered a default and Plaintiff has not moved for default judgment, Hinson has a valid defense, it will not prejudice Plaintiff, and Hinson and his counsel were not dilatory. For good cause shown,

IT IS ORDERED that Defendant Hinson's Motion *Nunc Pro Tunc* to Deem Answer Timely Filed, (Doc. No. 28), is **GRANTED**.

Signed: May 14, 2019

Frank D. Whitney

Chief United States District Judge